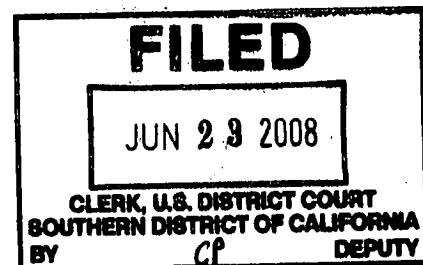


ORIGINAL

1 LYNN HUBBARD, III, SBN 69773
2 SCOTTLYNN J HUBBARD, IV, SBN 212970
3 **DISABLED ADVOCACY GROUP, APLC**
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8 Attorneys for Plaintiff



I. SUMMARY

1. This is a civil rights action by plaintiff Barbara Hubbard ("Hubbard") for discrimination at the building, structure, facility, complex, property, land, development, and/or surrounding business complex known as:

McDonald's #1557
1110 3rd Avenue
Chula Vista, CA 91911
(hereafter "the Restaurant")

9 2. Hubbard seeks damages, injunctive and declaratory relief, attorney
10 fees and costs, against Jill Lindstedt dba McDonald's #1557 and McDonald's
11 Corp. (hereinafter collectively referred to as "McDonald's") pursuant to the
12 Americans with Disabilities Act of 1990, (42 U.S.C. §§ 12101 et seq.), and
13 related California statutes.

II. JURISDICTION

15 3. This Court has original jurisdiction under 28 U.S.C. §§ 1331 and
16 1343 for ADA claims.

17 4. Supplemental jurisdiction for claims brought under parallel
18 California law—arising from the same nucleus of operative facts—is predicated
19 on 28 U.S.C. § 1337.

20 ||| 5. Hubbard's claims are authorized by 28 U.S.C. §§ 2201 and 2202.

III. VENUE

22 6. All actions complained of herein take place within the jurisdiction
23 of the United States District Court, Southern District of California, and venue is
24 invoked pursuant to 28 U.S.C. § 1391(b), (c).

IV. PARTIES

26 7. McDonald's owns, operates, and/or leases the Restaurant, and
27 consists of a person (or persons), firm, and/or corporation.

8. Hubbard has multiple conditions that affect one or more major life functions. She requires the use of motorized wheelchair and a mobility-equipped vehicle, when traveling about in public. Consequently, Hubbard is "physically disabled," as defined by all applicable California and United States laws, and a member of the public whose rights are protected by these laws.

V. FACTS

9. The Restaurant is an establishment serving food and drink, open to the public, which is intended for nonresidential use and whose operation affects commerce.

10. Hubbard visited the Restaurant and encountered barriers (both physical and intangible) that interfered with—if not outright denied—her ability to use and enjoy the goods, services, privileges, and accommodations offered at the facility. To the extent known by Hubbard, the barriers at the Restaurant included, but are not limited to, the following:

- There is no tow away signage posted and/or the tow away signage posted is not correct;
- There is no accessible route from the public way to the Restaurant;
- The disabled parking spaces are too short;
- The disabled parking spaces have slopes and cross slopes that exceed 2.0%;
- The adjacent access aisles have slopes and cross slopes that exceed 2.0%;
- The signage provided in the van accessible space is not correct;
- The International Symbol of Accessibility (hereinafter referred to as “ISA”) mounted at one of the entrance doors is not located on the strike side and at 60 inches center from the floor;
- At least one entrance door is lacking an ISA to indicate that the Restaurant is accessible to the disabled;

- 1 • The food service counter is too high and does not have a portion lowered
- 2 to accommodate patrons in wheelchairs;
- 3 • The pay point machines are mounted too high;
- 4 • There is no seating designated as accessible to the disabled inside the
- 5 Restaurant;
- 6 • There is no disabled seating inside the Restaurant;
- 7 • There is not seating designated as accessible to the disabled in the outdoor
- 8 play area;
- 9 • There is no accessible seating in the outdoor play area;
- 10 • The stall door is not self closing;
- 11 • The stall door hardware requires pinching, grasping, and/or twisting to
- 12 operate;
- 13 • The flush valve of the water closet is located on the wrong side;
- 14 • The water closet is an obstruction to the use of the disposable seat cover
- 15 dispenser;
- 16 • The disposable seat cover dispenser is mounted behind the water closet
- 17 and is therefore out of the required reach range limits;
- 18 • The disposable seat cover dispenser is mounted at more than 40 inches
- 19 from the floor;
- 20 • The toilet tissue dispenser is mounted above the grab bar and is more than
- 21 12 inches from the front of the water closet;
- 22 • The toilet tissue dispenser is an obstruction to the use of the side grab bar;
- 23 • The side grab bar is not mounted 12 inches from the back wall
- 24 • The pipes underneath the lavatory are improperly and/or incompletely
- 25 wrapped;
- 26 • The mirror is mounted more than 40 inches from the floor; and,
- 27 • When exiting the restroom, there is not the required 18 inches of strike
- 28 side clearance.

1 These barriers prevented Hubbard from enjoying full and equal access.

2 11. Hubbard was also deterred from visiting the Restaurant because she
3 knew that the Restaurant's goods, services, facilities, privileges, advantages, and
4 accommodations were unavailable to physically disabled patrons (such as
5 herself). She continues to be deterred from visiting the Restaurant because of the
6 future threats of injury created by these barriers.

7 12. Hubbard also encountered barriers at the Restaurant, which violate
8 state and federal law, but were unrelated to her disability. Nothing within this
9 Complaint, however, should be construed as an allegation that Hubbard is
10 seeking to remove barriers unrelated to her disability.

11 13. McDonald's knew that these elements and areas of the Restaurant
12 were inaccessible, violate state and federal law, and interfere with (or deny)
13 access to the physically disabled. Moreover, McDonald's has the financial
14 resources to remove these barriers from the Restaurant (without much difficulty
15 or expense), and make the facility accessible to the physically disabled. To date,
16 however, McDonald's refuses to either remove those barriers or seek an
17 unreasonable hardship exemption to excuse non-compliance.

18 14. At all relevant times, McDonald's has possessed and enjoyed
19 sufficient control and authority to modify the Restaurant to remove impediments
20 to wheelchair access and to comply with the Americans with Disabilities Act
21 Accessibility Guidelines and Title 24 regulations. McDonald's has not removed
22 such impediments and has not modified the Restaurant to conform to
23 accessibility standards. McDonald's has intentionally maintained the Restaurant
24 in its current condition and has intentionally refrained from altering the
25 Restaurant so that it complies with the accessibility standards.

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15. Hubbard further alleges that the (continued) presence of barriers at
the Restaurant is so obvious as to establish McDonald's discriminatory intent.¹
On information and belief, Hubbard avers that evidence of this discriminatory
intent includes McDonald's refusal to adhere to relevant building standards;
disregard for the building plans and permits issued for the Restaurant;
conscientious decision to the architectural layout (as it currently exists) at the
Restaurant; decision not to remove barriers from the Restaurant; and allowance
that the Restaurant continues to exist in its non-compliant state. Hubbard further
alleges, on information and belief, that McDonald's is not in the midst of a
remodel, and that the barriers present at the Restaurant are not isolated (or
temporary) interruptions in access due to maintenance or repairs.²

VI. FIRST CLAIM

Americans with Disabilities Act of 1990

Denial of “Full and Equal” Enjoyment and Use

15 16. Hubbard incorporates the allegations contained in paragraphs 1
16 through 15 for this claim.

17 17. Title III of the ADA holds as a “general rule” that no individual
18 shall be discriminated against on the basis of disability in the full and equal
19 enjoyment (or use) of goods, services, facilities, privileges, and accommodations
20 offered by any person who owns, operates, or leases a place of public
21 accommodation. 42 U.S.C. § 12182(a).

22 18. McDonald's discriminated against Hubbard by denying "full and
23 equal enjoyment" and use of the goods, services, facilities, privileges or
24 accommodations of the Restaurant during each visit and each incident of
25 deterrence.

¹ E.g., *Gunther v. Lin*, 144 Cal.App.4th 223, fn. 6.

² Id.; 28 C.F.R. § 36.211(b).

Hubbard v. Lindstedt, et al.

**Hazard v. Emerson,
Plaintiff's Complaint**

Failure to Remove Architectural Barriers in an Existing Facility

19. The ADA specifically prohibits failing to remove architectural barriers, which are structural in nature, in existing facilities where such removal is readily achievable. 42 U.S.C. § 12182(b)(2)(A)(iv). The term “readily achievable” is defined as “easily accomplishable and able to be carried out without much difficulty or expense.” *Id.* § 12181(9).

20. When an entity can demonstrate that removal of a barrier is not readily achievable, a failure to make goods, services, facilities, or accommodations available through alternative methods is also specifically prohibited if these methods are readily achievable. *Id.* § 12182(b)(2)(A)(v).

21. Here, Hubbard alleges that McDonald's can easily remove the architectural barriers at the Restaurant without much difficulty or expense, and that McDonald's violated the ADA by failing to remove those barriers, when it was readily achievable to do so.

22. In the alternative, if it was not "readily achievable" for McDonald's to remove the Restaurant's barriers, then McDonald's violated the ADA by failing to make the required services available through alternative methods, which are readily achievable.

Failure to Design and Construct an Accessible Facility

23. On information and belief, the Restaurant was designed or constructed (or both) after January 26, 1992—Independently triggering access requirements under Title III of the ADA.

24. The ADA also prohibits designing and constructing facilities for first occupancy after January 26, 1993, that aren't readily accessible to, and usable by, individuals with disabilities when it was structurally practicable to do so. 42 U.S.C. § 12183(a)(1).

25. Here, McDonald's violated the ADA by designing or constructing (or both) the Restaurant in a manner that was not readily accessible to the

1 physically disabled public—including Hubbard—when it was structurally
 2 practical to do so.³

3 Failure to Make an Altered Facility Accessible

4 26. On information and belief, the Restaurant was modified after
 5 January 26, 1992, independently triggering access requirements under the ADA.

6 27. The ADA also requires that facilities altered in a manner that affects
 7 (or could affect) its usability must be made readily accessible to individuals with
 8 disabilities to the maximum extent feasible. 42 U.S.C. § 12183(a)(2). Altering
 9 an area that contains a facility's primary function also requires adding making
 10 the paths of travel, bathrooms, telephones, and drinking fountains serving that
 11 area accessible to the maximum extent feasible. Id.

12 28. Here, McDonald's altered the Restaurant in a manner that violated
 13 the ADA and was not readily accessible to the physically disabled public—
 14 including Hubbard—to the maximum extent feasible.

15 Failure to Modify Existing Policies and Procedures

16 29. The ADA also requires reasonable modifications in policies,
 17 practices, or procedures, when necessary to afford such goods, services,
 18 facilities, or accommodations to individuals with disabilities, unless the entity
 19 can demonstrate that making such modifications would fundamentally alter their
 20 nature. 42 U.S.C. § 12182(b)(2)(A)(ii).

21 30. Here, McDonald's violated the ADA by failing to make reasonable
 22 modifications in policies, practices, or procedures at the Restaurant, when these
 23 modifications were necessary to afford (and would not fundamentally alter the
 24 nature of) these goods, services, facilities, or accommodations.

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 27
 28 ³ Nothing within this Complaint should be construed as an allegation that plaintiff is bringing this action as a
 29 private attorney general under either state or federal statutes.

31. Hubbard seeks all relief available under the ADA (*i.e.*, injunctive relief, attorney fees, costs, legal expense) for these aforementioned violations. 42 U.S.C. § 12205.

32. Hubbard also seeks a finding from this Court (*i.e.*, declaratory relief) that McDonald's violated the ADA in order to pursue damages under California's Unruh Civil Rights Act or Disabled Persons Act.

VII. SECOND CLAIM

Disabled Persons Act

9 33. Hubbard incorporates the allegations contained in paragraphs 1
10 through 30 for this claim.

34. California Civil Code § 54 states, in part, that: Individuals with disabilities have the same right as the general public to the full and free use of the streets, sidewalks, walkways, public buildings and facilities, and other public places.

35. California Civil Code § 54.1 also states, in part, that: Individuals
with disabilities shall be entitled to full and equal access to accommodations,
facilities, telephone facilities, places of public accommodation, and other places
to which the general public is invited.

19 36. Both sections specifically incorporate (by reference) an individual's
20 rights under the ADA. See Civil Code §§ 54(c) and 54.1(d).

37. Here, McDonald's discriminated against the physically disabled public—including Hubbard—by denying them full and equal access to the Restaurant. McDonald's also violated Hubbard's rights under the ADA, and, therefore, infringed upon or violated (or both) Hubbard's rights under the Disabled Persons Act.

26 38. For each offense of the Disabled Persons Act, Hubbard seeks actual
27 damages (both general and special damages), statutory minimum damages of one

1 thousand dollars (\$1,000), declaratory relief, and any other remedy available
2 under California Civil Code § 54.3. .

3 39. She also seeks to enjoin McDonald's from violating the Disabled
4 Persons Act (and ADA) under California Civil Code § 55, and to recover
5 reasonable attorneys' fees and incurred under California Civil Code §§ 54.3 and
6 55.

VIII. THIRD CLAIM

Unruh Civil Rights Act

9 40. Hubbard incorporates the allegations contained in paragraphs 1
10 through 30 for this claim.

11 41. California Civil Code § 51 states, in part, that: All persons within
12 the jurisdiction of this state are entitled to the full and equal accommodations,
13 advantages, facilities, privileges, or services in all business establishments of
14 every kind whatsoever.

15 42. California Civil Code § 51.5 also states, in part, that: No business
16 establishment of any kind whatsoever shall discriminate against any person in
17 this state because of the disability of the person.

18 43. California Civil Code § 51(f) specifically incorporates (by
19 reference) an individual's rights under the ADA into the Unruh Act.

20 44. McDonald's aforementioned acts and omissions denied the
21 physically disabled public—including Hubbard—full and equal
22 accommodations, advantages, facilities, privileges and services in a business
23 establishment (because of their physical disability).

24 45. These acts and omissions (including the ones that violate the ADA)
25 denied, aided or incited a denial, or discriminated against Hubbard by violating
26 the Unruh Act.

27 46. Hubbard was damaged by McDonald's wrongful conduct, and seeks
28 statutory minimum damages of four thousand dollars (\$4,000) for each offense.

47. Hubbard also seeks to enjoin McDonald's from violating the Unruh Act (and ADA), and recover reasonable attorneys' fees and costs incurred under California Civil Code § 52(a).

IX. FOURTH CLAIM

Denial of Full and Equal Access to Public Facilities

48. Hubbard incorporates the allegations contained in paragraphs 1 through 13 for this claim.

49. Health and Safety Code § 19955(a) states, in part, that: California public accommodations or facilities (built with private funds) shall adhere to the provisions of Government Code § 4450.

50. Health and Safety Code § 19959 states, in part, that: Every existing (non-exempt) public accommodation constructed prior to July 1, 1970, which is altered or structurally repaired, is required to comply with this chapter.

51. Hubbard alleges the Restaurant is a public accommodation constructed, altered, or repaired in a manner that violates Part 5.5 of the Health and Safety Code or Government Code § 4450 (or both), and that the Restaurant was not exempt under Health and Safety Code § 19956.

52. McDonald's non-compliance with these requirements at the Restaurant aggrieved (or potentially aggrieved) Hubbard and other persons with physical disabilities. Accordingly, she seeks injunctive relief and attorney fees pursuant to Health and Safety Code § 19953.

X. PRAYER FOR RELIEF

WHEREFORE, Hubbard prays judgment against McDonald's for:

1. Injunctive relief, preventive relief, or any other relief the Court deems proper.
2. Declaratory relief that McDonald's violated the ADA for the purposes of Unruh Act or Disabled Persons Act damages.

1 3. Statutory minimum damages under either sections 52(a) or 54.3(a) of the
2 California Civil Code (but not both) according to proof.

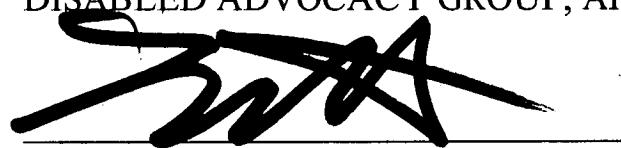
3 4. Attorneys' fees, litigation expenses, and costs of suit.⁴

4 5. Interest at the legal rate from the date of the filing of this action.

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6 DATED: June 19, 2008

DISABLED ADVOCACY GROUP, APLC



9 LYNN HUBBARD, III
10 Attorney for Plaintiff

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⁴ This includes attorneys' fees under California Code of Civil Procedure § 1021.5.
Hubbard v. Lindstedt, et al.
Plaintiff's Complaint

**UNITED STATES
DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

152184 - TC

**June 23, 2008
15:14:33**

Civ Fil Non-Pris
USAO #: 08CV1110
Judge.: DANA M SABRAW
Amount.: \$350.00 CC

Total-> \$350.00

FROM: HUBBARD VS LINDSTEDT

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court in the course of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS BARBARA HUBBARD		DEFENDANTS JILL LINDSTEDT dba McDONALD'S #1557; McDONALD'S CORP.	
(b) County of Residence of First Listed Plaintiff <u>SAN DIEGO</u> <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small>		JUN 23 2008 CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA <small>(IN U.S. PLAINTIFF CASES ONLY)</small> DEPUTY	
(c) Attorney's (Firm Name, Address, and Telephone Number) LYNN HUBBARD, III DISABLED ADVOCACY GROUP, APLC 12 Williamsburg Lane Chico, CA 95926 (530) 895-3252		<small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</small> Attorneys (If Known) '08 CV 1110 DMS BLM	
II. BASIS OF JURISDICTION <small>(Place an "X" in One Box Only)</small>		III. CITIZENSHIP OF PRINCIPAL PARTIES <small>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</small>	
<input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)		<small>PTF DEF</small> Citizen of This State <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input type="checkbox"/> 4	
<input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity <small>(Indicate Citizenship of Parties in Item III)</small>		<small>PTF DEF</small> Citizen of Another State <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5	
		<small>PTF DEF</small> Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 3 Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6	
IV. NATURE OF SUIT <small>(Place an "X" in One Box Only)</small>			
CONTRACT		TORTS	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise		PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	
REAL PROPERTY		CIVIL RIGHTS	
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property		PRISONER PETITIONS	
<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input checked="" type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights		PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Product Damage	
PRINCIPAL PARTIES		FORFEITURE/PENALTY	
<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure <small>of Property 21 USC 881</small> <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	
PROPERTY RIGHTS		BANKRUPTCY	
<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act		<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal <small>28 USC 157</small> PROPERTY RIGHTS	
LABOR		SOCIAL SECURITY	
<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))		<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	
REAL PROPERTY		FEDERAL/TAX SUITS	
<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)		<input type="checkbox"/> 871 IRS—Third Party <small>26 USC 7609</small>	
CIVIL RIGHTS		IMMIGRATION	
<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input checked="" type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights		<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	
V. ORIGIN <small>(Place an "X" in One Box Only)</small>		VI. CAUSE OF ACTION <small>Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):</small> 42 U.S.C. Section 12101, et seq.	
<input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment		<small>Brief description of cause:</small> Ongoing violations of the ADA Construction Standards	
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION <small>UNDER F.R.C.P. 23</small>	
VIII. RELATED CASE(S) IF ANY		DEMAND \$ <small>(See instructions):</small> JUDGE	
<small>DATE</small> 06/19/2008		<small>DOCKET NUMBER</small> 	
FOR OFFICE USE ONLY			